



**Nursing Care Quality Assurance Commission
MINUTES
March 10, 2006
Business meeting
Department of Health
310 Israel Rd SE, Room 152/153
Tumwater, WA 98502**

**Commission Members
present:**

Dr. Judith D. Personett, EdD, RN, Chair
Jacqueline Rowe, RN, Co-Chair
Karen Brewer, Public Member
Richard Cooley, LPN
William Hagens, Public Member
Lorrie Hodges, LPN
Rev. Ezra Kinlow, Public Member
Robert Salas, RN
Diane Sanders, RN
Rhonda Taylor, RN
Mariann Williams, RN, MPH, ARNP
Susan Wong, MBA, MPA, RN
Susan Woods, PhD, RN, FAHA, FAAN

**Assistant Attorney General
present:**

Gail Yu, Assistant Attorney General

Staff present:

Paula R. Meyer, RN, MSN, Executive Director
Kris McLaughlin, Secretary
Usrah Claar-Rice, MS, MSN, RN, Nurse Education Manager
Chuck Cumiskey, RN, BSN, MBA, Nurse Practice Manager
Mary Dale, Nurse Discipline Manager
Chris Swanson, Advising Staff Attorney
Taylor Stair, Health Services Consultant
Terry West, Health Services Consultant

1. Opening — Dr. Judith D. Personett, EdD, RN, Chair

- Call to order –
- Introductions -
- Order of the Agenda -
- Correspondence -
- Announcements -

DISCUSSION: Dr. Personett opened the meeting at 8:35AM Friday March 10, 2006.

2. Consent Agenda – DISCUSSION/ACTION

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

- Approval of minutes
 - January 13, 2006 business meeting
 - Licensing and Discipline sub-committee
 - Consistent Standards of Practice sub-committee
 - Continuing Competency sub-committee
 - Nursing Program Approval Panel (NPAP)
- National Council of State Boards of Nursing (NCSBN) correspondence
- Department of Health (DOH) correspondence
- Other

DISCUSSION: The January business meeting minutes were not available and will be included with the May meeting materials.

ACTION: A motion was made and passed to approve the consent agenda.

3. Chair Report – Dr. Judith Personett – DISCUSSION/ACTION

Evidence Based Practice – Dr. Personett would like to present a definition of this term since it is used frequently. Dr. Personett would like to explore this subject as a potential workshop item for the July meeting.

DISCUSSION: Dr. Personett explained to the Nursing Care Quality Assurance Commission (NCQAC) the need for a base line understanding of this term and the impact on nursing practice as well other health professions. Dr. Personett requested that an expert provide a lecture at the July NCQAC business meeting to explain the term evidence based practice. Experts identified are Pam Mitchell from the University Of Washington School Of Nursing, representatives from Labor and Industries or medical directors that might be available.

DECISION: The NCQAC agreed to invite an expert to the July meeting to provide a presentation on evidence based practice.

4. Executive Director Report – Paula Meyer – DISCUSSION/ACTION

A. Newsletter Update – Terry West - DISCUSSION/ACTION

Ms. West will give an update on the Funds Authority Resource Solicitation (FARS) process. The use of Publishing Concepts Inc., (PCI) for the newsletter is considered use of non-state funds to support a state function and subject to this process. Ms. Laurie Jinkins, Assistant Secretary for Health Systems Quality Assurance (HSQA) has requested use of this process and seeking approval by the Department of Health (DOH) senior management for the newsletter using PCI Publishing.

Ms. West will also be presenting a potential format for the newsletter, to include articles from the chair, vice chair, LPN members, etc. Ms. West will be asking for articles to be completed by the NCQAC members.

DISCUSSION: Ms. West provided samples of other state newsletters using PCI Publishing. All draft articles would be written by the NCQAC members or DOH staff, reviewed and edited by Ms. West with the final draft to be approved by Paula Meyer, the executive director. In addition, a member of the NCQAC would review the content for approval. There would be no cost to the he NCQAC or DOH since nursing related advertisements would pay for the publishing costs of the newsletter. PCI Publishing would complete the print copy and send it to the Washington State Department of Printing. The list of addresses of all nurses in Washington State is then provided to the state Department of Printing for state business, and not released to the publishing company or any third parties. Ms. West polled other states currently using PCI Publishing and there are no concerns or law suits at this time. There is a plan to produce one publication this year and two per year thereafter once departmental

approval is received. The NCQAC members brainstormed several ideas for articles as well as names for the newsletter.

DECISION: Rick Cooley volunteered to review the edit the final draft of each newsletter.

B. Center for Nursing Update – Terry West - DISCUSSION/ACTION

Ms. West will give a report on the first transfer of funds from the DOH to the Center for Nursing. Also, as part of the implementation of the legislation, an internal audit of the process was conducted. Ms. West will present the outcome of the first audit.

DISCUSSION: Ms. West provided a letter dated December 20, 2005 from Charles Satterlund, CPA, confirming arrangements for the review of the Nursing Resource Center Fund 09L. Mr. Satterlund is the internal auditor for the DOH who completed the audit with the outcome being very good. He recommended that NCQAC do a risk analysis report by June 30. Ms. West will share the report with the NCQAC at the July business meeting.

C. NurSYS® Update – Terry West - DISCUSSION/ACTION

NurSYS® was built by the National Council of State Boards of Nursing (NCSBN) to be the national, unduplicated data base of all nurses in the country. Ms. West is working on the contract language and data transfer of the licensing and disciplinary data for Washington State. Ms. Taylor Stair is the licensing supervisor for RNs, LPNs, and ARNPs, and will give a demonstration of the NurSYS® system.

DISCUSSION: Ms. Stair presented a short presentation on the NurSYS® system. There are currently 34 boards of nursing participating at this time. NurSYS® contains personal, licensure, education, verification and discipline information supplied solely by boards of nursing. Some states restrict information that may be accessed by others, such as Washington. Addresses and social security numbers are not publically disclosable in our state. NurSYS® complies with each state's requirements for release of information. Only state boards of nursing have access to the NurSYS® data base and it is for the sole purpose of licensing and discipline. The first test of the data transfer for Washington State will occur on March 15. If all goes well, the information will be supplied to the NurSYS® system monthly once the contract is completed.

DECISION: More information will be provided to the commission at the May business meeting.

D. Commission Pay and Payroll Summary – Paula Meyer - DISCUSSION/ACTION

Ms. Meyer will be asking for feedback on the receipt of pay for NCQAC members as well as submitting payroll forms. Ms. Meyer will also present the summary of NCQAC pay for the year of 2005.

DISCUSSION: Ms. Meyer explained the importance of submitting the NCQAC pay worksheets via email to Kris McLaughlin by the 10th of each month. The Governor's Office had received feedback that board members are not receiving their checks in a timely manner. Ms. Meyer will report that the NCQAC voiced no problems getting their checks. Ms. Meyer explained the charts and graphs that were compiled from the worksheets. The data demonstrated that the majority of time spent by NCQAC members is on reviewing disciplinary cases and secondarily on business meeting days.

E. NCSBN Awards Program, Committee Opportunities and Officer Nominations – Paula Meyer - DISCUSSION/ACTION

1. The NCSBN annually awards member boards, individual board and staff members, and meritorious service. The NCQAC will receive a list of the awards available and decide upon nominations.
2. The NCSBN committee opportunities may be available at this meeting. NCQAC may determine members for nomination on committees.
3. Annual elections for NCSBN officers will be held at the Annual meeting in August, 2006. Dr. Personett has been nominated for director positions. Nominations for the upcoming elections will be discussed and determined.

DISCUSSION: Ms. Meyer explained that the award recipients will be recognized at the awards luncheon held during the NCSBN Annual Meeting in Salt Lake City, Utah in August.

ACTION: The NCQAC made and passed a motion to nominate Cheryl Payseno for the Meritorious Achievement Award. This award is granted to a board or staff member of a Member Board for significant contributions to the purposes of NCSBN. The criteria for this selection are a significant promotion of the purposes of NCSBN, positive impact on the contributions of NCSBN and demonstrated support of NCSBN'S mission.

The NCQAC made a motion and passed to nominate the NCQAC for the Regulatory Achievement Award. This award recognizes the Member Board that has made an identifiable, significant contribution to the purposes of NCSBN in promoting public policy related to the safe and effective practice of nursing in the interest of public welfare. The criteria for this selection is active participation in NCSBN activities by board members and /or board staff, effective leadership in the development, implementation and maintenance of licensing and regulatory policies, active collaborative relationships among the Member Boards, NCSBN, the public, other Member Boards and demonstrated advancement of the NCSBN mission.

A motion was made and passed to nominate Dr. Judith Personett for the Vice President position for the NCSBN board. This is an elected position for the NCSBN and is a two-year term.

F. Legislation Update – Paula Meyer - DISCUSSION/ACTION

Ms. Meyer will give a report on legislation that was successful during the 2006 session that affects nursing and/or nursing regulation.

DISCUSSION: Ms. Meyer reported on the bills that passed this session. *SHB2974* (Health Professions Discipline Mandatory Reporting and HPQA funding) passed and will be forwarded to the Governor to consider signing. *ESB6194* (requiring multi-cultural education for health professions) passed and will be forwarded to the Governor to consider signing. Ms. Meyer thanked the legislative task force which met on Tuesday evenings during session. The task force members included Dr. Judith Personett, Mariann Williams, Todd Herzog, Bill Hagens, Paula Meyer and Chuck Cumiskey.

G. Other

DISCUSSION: Kendra Pitzler explained that Chapter 246-320 Hospital Licensing Regulation rules are open. The rules provide opportunities for: simplifying language to increase clarity; updates reflecting 2005 legislative changes; and providing open public options for receiving proposals and comments in order to develop recommendations to

the DOH for changes to the existing regulations. Any questions can be directed to Allen Spaulding at allen.spaulding@doh.wa.gov. Ms. Pitzler asked if anyone from the commission would be willing to comment on the hospital rules.

DECISION: Diane Sanders and Rhonda Taylor volunteered to review the Hospital Licensing regulations. Ms. Sanders and Ms. Taylor will provide a report at the May meeting on the results of the review.

5. Sanctioning Guidelines Task Force – Dr. Judy Personett, Diane Sanders, Rev. Ezra Kinlow, Rick Cooley, Jackie Rowe - DISCUSSION/ACTION

The task force will report on their review of the sanctioning guidelines and use of the sanctioning guidelines at all charging panels. The task force was to consider moving the guidelines to rules and a report will be given.

DISCUSSION: The task force met via conference call on February 7, 2006 to discuss and review the sanction guidelines. The task force suggested the guidelines be updated to conform to the practice of the charging panels and to be in alignment with Washington Health Professional Services (WHPS). The Reviewing Commission Member Case Analysis Form needs to be completely filled out with the aggravating or mitigating circumstances for each case if there are deviations from the sanctions identified for each infraction. This documentation will provide the rationale for the decisions and any exceptions to the sanctions. The task force recommended that the Case Analysis forms and the RCM Case Analysis form stay with the records for clarification in the future. The task force recommends that the sanction guidelines be moved to standards.

6. Delegation of Non-compliance, Show-cause Orders – Karl Hoehn and Shellie Carpenter - DISCUSSION/ACTION

Mr. Hoehn, the Legal Services Manager, and Shellie Carpenter, Adjudicative Services Unit Manager, will present the process for non-compliance show cause orders. Currently, if a respondent is non-compliant with their order, a statement of charges must be issued. The Show-cause order language is intended to improve the efficiency in the process. A request for the NCQAC to delegate this will be sought.

DISCUSSION: Karl Hoehn presented the Delegation of Non-compliance and Show-cause orders.

DECISION: A decision was made to report back to the NCQAC at the May business meeting. The NCQAC asked that all members review the procedure and develop questions. The questions are to be submitted to staff prior to the May meeting. Mr. Hoehn was asked to show the actual data from Government Management Accountability and Performance.

7. Delegation of Summary Suspension Actions to a Health Law Judge – Paula Meyer - DISCUSSION/ACTION

In order to expedite the process of summary suspension in cases of imminent harm, the NCQAC has the ability to delegate this action to a Health Law Judge. The NCQAC will consider delegation in certain instances, benefits to the process, and if there are concerns associated with the process.

DISCUSSION: This agenda item was covered with agenda item #6.

8. Procedure for Non-payment of Fines and Use of Collection Agencies – Paula Meyer – DISCUSSION/ACTION

Fines are usually included in final or agreed orders with the NCQAC. In the cases where the respondent is non-compliant with the payment of their fine, the NCQAC may consider the use of a collection agency. A workgroup has been developing a procedure for all of Health Professions Quality Assurance (HPQA). The procedure will be considered for adoption by the NCQAC.

The use of collection agencies when respondents are non-compliant with payment of their fines or cost recovery was also included in the presentation by Mr. Hoehn. This procedure will be reviewed at the May NCQAC meeting.

9. Masters Entry Program in Nursing (MEPN) - Usrah Claar-Rice - DISCUSSION/ACTION

Masters Entry Programs in Nursing accept nursing students who have a degree in another field and will graduate with a masters degree in nursing. At the end of the pre-licensure portion of the program, the students will take the NCLEX® RN examination. Ms. Claar-Rice will present the Masters Entry Program in Nursing approval process by the NCQAC.

DISCUSSION: A recommendation came to the NCQAC by NPAP to adopt the procedure for Final Approval of nationally accredited master's entry programs in nursing. Ms. Claar-Rice presented the elements of the procedure and explained that the education WAC's which became effective June 26, 2005 allowed for this process.

ACTION: The NCQAC made and passed a motion to adopt the Masters Entry Program in NPAP procedure. Dr. Susan Woods abstained the motion.

10. Nursing Education Annual Report - Usrah Claar-Rice - DISCUSSION/ACTION

Ms. Claar-Rice will present the Nursing Education Annual Report. The report is built from the surveys conducted in 2004 and includes information on test scores, number of graduates of RN and LPN programs, and faculty issues. The NCQAC will consider adoption of the report.

DISCUSSION: Ms. Claar-Rice reported that there are four major factors addressed in the report: the success of Washington State's nursing programs in increasing the number of nursing graduates produced; the impact the lack of clinical sites is having on Washington's nursing programs; and continued difficulty in hiring nursing faculty. The data in the report demonstrates the ongoing differences in requirements among the levels of new graduate nurses' preparation in the "specialty" areas of obstetrics, pediatrics, and psychiatric nursing. Ms. Claar-Rice noted that Washington State's nursing programs continue to produce nursing graduates who are consistently successful on the national licensing examinations, with the great majority of the programs exceeding the regulatory requirement of an 80% pass rate. Over the last year there has also been a 25% increase in the number of RN's receiving their bachelor's degree and a 42% increase in the number of ARNP graduates in the state. This report is public information and will be placed on the nursing website if approved. The NCQAC requested that the Council of Nursing Educators of Washington State (CNEWS) receive a copy of the annual report.

ACTION: A motion was made and passed to adopt the Nursing Education Annual Report.

11. NCLEX RN® Test Plan - Usrah Claar-Rice - DISCUSSION/ACTION

The NCSBN conducts a review of the NCLEX RN® examination and recommends changes based on practice reviews. The NCSBN is requesting each board (NCQAC) to review the RN test plan and submit comments. Ms. Claar-Rice will review the test plan and recommendations from the NCSBN examination committee. Comments will be collected and submitted to the NCSBN.

DISCUSSION: Ms. Claar-Rice reviewed the test plan and reported that there were only minor changes. A copy of those changes can be requested by contacting the NCQAC office at usrah.claar-rice@doh.wa.gov.

ACTION: A motion was made and passed to adopt the proposed test plan.

12. **NCLEX Examination Candidate Bulletins – Taylor Stair - DISCUSSION/ACTION**

Each year, the NCSBN sends thousands of the candidate bulletins to the DOH for redistribution to the schools/programs of nursing in Washington. The bulletins contain all of the information necessary for students to register to take the NCLEX® PN or RN examinations. In an effort to be cost effective, the staff is moving from the use of the paper bulletins to web-site only for registration. Ms. Stair will describe the implementation plan for this transition to be effective May 1, 2006.

DISCUSSION: Ms. Stair reported that by using the web-site registration it will save thousands of dollars and the time necessary for repackaging. A presentation for all of the schools was developed as a result of using a focus group from South Puget Sound Community College nursing students on February 17 2006. The students had very few questions related to the use of the web-site for registration for the NCLEX® examinations. The most questions were related to the licensing process, applications and fees. The presentation was revised to include this information. Frequently asked questions on the NCLEX® candidate bulletin can be obtained by contacting Ms. Stair at taylor.stair@doh.wa.gov and will be posted on line at the nursing web-site the following week.

As of May 1, 2006, in order to register for the NCLEX® examinations, all students must register using web access at <http://pearsonvue.com/nclex/>.

13. **Nomination Committee report - Marlene Wells, Rhonda Taylor and Karen Brewer – DISCUSSION/ACTION**

A slate of candidates for election of officers will be presented. The election occurs at the May meeting, and officers take their positions at the July meeting.

DISCUSSION: The candidates for Commission Chair are Mariann Williams and Dr. Judith Personett. Candidates for Vice Chair are Susan Woods and Susan Wong. Mariann Williams declined the nomination. Ballots will be included in the commission packets for the May meeting for voting.

14. **Approval of the Position Descriptions – Paula Meyer - DISCUSSION/ACTION**

- a. The position descriptions for the officer positions and the new subcommittees have been revised and reformatted. The position descriptions will be presented for adoption by the NCQAC.
- b. The position descriptions for the Education, Practice and Discipline sub-committees are no longer applicable and the NCQAC will consider rescinding these position descriptions.

DECISION: The steering committee position description membership needs to be changed to *Chairs of the Consistent Standards of Practice, Continuing Competency, and Licensing and Discipline subcommittees*. The Legislative Task Force position description Membership needs to be changed to *#4 other interested Commission members*.

ACTION: The NCQAC made and passed a motion to rescind the Education, Practice and Discipline Sub-committees position descriptions and approve the Consistent Standards of

Practice, Continuing Competency, and Licensing and Discipline subcommittee Chair position descriptions.

1100-1130 Executive Session if needed

An executive session was not needed at this time.

LUNCH

1300PM–OPEN MIKE

Open mike is for public presentation of issues to the Nursing commission. If the public has issues regarding disciplinary cases, please call: 360-236-4727.

DISCUSSION: Joan Garner, Washington State Nursing Association (WSNA), provided handouts to the NCQAC members that included “Tox Profiles 2005”, “Hazards to Healthcare Workers “10 Health and Safety Questions for Nurses”, and other information relating to environmental health and nurses.

15. Sub-committee reports – DISCUSSION/ACTION

The strategic plans for each subcommittee were presented at the workshop, held on March 9. The NCQAC will consider adoption of each of the sub-committees strategic plans.

A. Consistent Standards of Practice – Dr. Susan Woods and Rhonda Taylor, Co-chairs
DISCUSSION/ACTION

DISCUSSION: Dr. Susan Woods reported that the Consistent Standards of Practice strategic plan is in the assessment phase and not ready for approval at this time.

B. Continuing Competency – Todd Herzog, Chair - DISCUSSION/ACTION

DISCUSSION: Ms. Diane Sanders reported that their workgroup has agreed to take this slowly and are not ready for approval at this time.

C. Discipline and Licensing – Jackie Rowe, Chair - DISCUSSION/ACTION

DISCUSSION: Ms. Jackie Rowe reported that their workgroup is focusing on expanding awareness in mandatory reporting. They are gathering information to protect the public and improve communication with complainants. A suggestion was made that all Section 6 professions use the same form.

16. Other – Chuck Cumiskey stated that he had received a request for an advisory opinion. Three NCQAC members volunteered to review the request and bring the advisory opinion to the May meeting for approval.

17. Closing – The meeting was adjourned at 2:11PM on March 10, 2006. Notes were recorded by Kris McLaughlin.